

SPECIAL EXCEPTION

Purpose

The purpose of the special exception process is to assess the impact and public need for uses which have potential adverse impacts on the community and to establish requirements or conditions to mitigate such impacts.

Uses which are deemed special exception vary according to each zoning district. A complete listing of special exceptions allowed in each zoning district may be found under the appropriate district heading in the *City of Annapolis Code and Charter*.

Authority

City of Annapolis Code and Charter, Chapter 21.72, Special Exception with additional consideration under Chapter 21.98, Site Design Plan Review Standards; Chapter 17.09, Tree Preservation; Chapter 19.12 Stormwater Management; Chapter 21.64 Off-Street Parking and Loading Standards; and Chapter 21.67, Critical Area Overlay.

Submittal Requirements for Agency Review

- 1) Ten copies of letter of application
- 2) Ten copies of a site plan
- 3) Ten copies of an engineering plan
- 4) Ten copies of a vicinity map
- 5) Ten copies of exterior elevations and interior floor plans
- 6) Ten copies of a land use plan

7) One copy of a metes and bounds description of the project

8) One set of #10 envelopes, stamped and addressed to property owners within 200 feet of the project, with both mailing and property address if different

9) One copy of a statement addressing special exception standards

10) Additional information as requested by city staff prior to application submittal

Steps of the Process

1) The applicant meets with the Department of Planning and staff to discuss proposed development and the special exception process.

2) The applicant submits the special exception application to the Department of Planning and Zoning and staff reviews the application for completeness.

3) The Department of Planning and Zoning staff sends the special exception application to the Departments of Public Works, Police, Fire, Health and other agencies if applicable for comment and review.

4) The applicant conducts special studies, such as traffic impact, critical areas and market analysis, as required by the location and scope of the proposed project.

5) The Department of Planning and Zoning sets up a development review meeting with all review agencies and the applicant.

6) The applicant seeks approval of other boards, such as the Historic

Preservation Commission, Board of Appeals and Board of Port Wardens if required for the proposed development.

7) If necessary, the applicant revises plans as requested in the agency review process and resubmits revisions to the Department of Planning and Zoning and all other agencies.

8) The Planning Commission holds a public hearing on the first and third Thursdays of the month on the special exception application and adopts recommendations and findings of fact on the special exception application. These recommendations and findings are forwarded to the Board of Appeals for review. The applicant provides eight copies of all revised submittal requirements for the Planning Commission and posts a sign on the property seven days prior to the hearing.

9) The Board of Appeals on the first Tuesday of each month holds a public hearing on the special exception application and at the meeting following the public hearing meeting, takes action on the special exception application. For this hearing, the applicant provides six copies of all revised submittal requirements for the Board of Appeals and posts a sign on the property fifteen days prior to the hearing.

Processing Time

The length of time necessary to complete the special exception process is determined by the size, scope and complexity of the project and also by the requirements for interagency review and special studies, which vary from project to project. Generally, if no major modifications are required, the special exception process requires between two to four weeks for agency review and six to eight weeks for the

hearing process.

Fees

A fee of \$300 plus \$100 per acre or fraction thereof is required.

Enforcement and Appeals

When the applicant files for a building and/or use permits, plans are reviewed for compliance with the approved special exception. If plans do not conform to the special exception requirements, the building permit and/or use permit cannot be issued.

Appeals of Board of Appeals decisions may be made to the Anne Arundel County Circuit Court.

Other Considerations and Requirements

Although not required, an applicant may submit a concept plan prior to submittal of a formal application for general comments as to layout, density and the appropriateness of the type of development proposed.

In addition to applicable sections of the *City Code*, the special exception application is evaluated according to adopted Parking and Landscape Standards, the 1997 *Comprehensive Plan* and the sector study for the area of the city in which the proposed project is located.

Contact Person

Tom Smith, Chief of Current Planning
(410) 263-7961
ets@ci.annapolis.md.us

Date Received:_____

Application Filing # _____

SPECIAL EXCEPTION APPLICATION FORM

City of Annapolis
Planning and Zoning Department
160 Duke of Gloucester Street Annapolis, Maryland 21401
(410) 263-7961

Part I. Applicant Information:

Owner of Property:_____

Address:_____

Phone Number:_____

Applicant/Agent (if not Owner):_____

Address:_____

Phone Number:_____

Part II. Special Exception Use Information:

Proposed Special Exception Use:_____

Location:_____

Zoning Classification:_____

Part III. Submittal Requirements (please submit **ten copies** of each):

- _____ Site plan including metes and bounds of property
- _____ Land use plan
- _____ Vicinity map
- _____ Floor plan, as applicable
- _____ Exterior building elevations
- _____ Application fee: \$300.00 + \$100/acre or fraction thereof
- _____ Engineering plan, as applicable

- _____ Written statement addressing the special exception standards
- _____ Written statement addressing the site design standards of Chapter 21.98.050, as applicable
- _____ One set of #10 envelopes, stamped and addressed to property owners within 200 feet of the project

The undersigned assert that this proposed special exception will be in strict accordance with the standards set forth in chapter 21.72, Special Exceptions, of the Code of Annapolis. Additional consideration shall be given to chapter 21.98, Site Design; Chapter 21.64, Off-Street Parking; 21.67, Critical Area Overlay; Chapter 17.09, Tree Preservation; and Chapter 19.12 Stormwater Management.

Signature: _____ Date: _____